

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

R<sup>2</sup> TOP HAT LTD.,

Plaintiff,

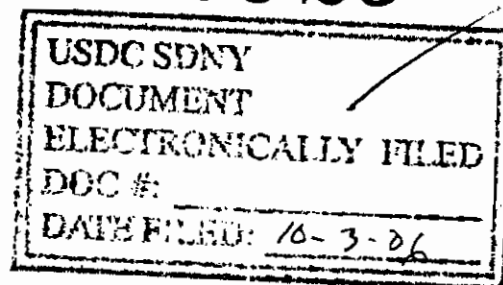
v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,  
HOME INTERIORS & GIFTS, INC.,  
RICHARD HEATH, PATRICK DAUGHERTY  
and JOHN DOES 1 through 3

Defendants.

**JUDGE CHIN**

**06 CV 7929**  
Civil Action No.



**ORDER ON EMERGENCY MOTION TO FILE VERIFIED COMPLAINT AND**  
**MOTION FOR TEMPORARY RESTRAINING ORDER UNDER SEAL**

Upon consideration of the Motion to file under seal both the Verified Complaint and the Motion for Temporary Restraining Order (the "Motion") of Plaintiff R<sup>2</sup> Top Hat, Ltd. ("R<sup>2</sup>"); and due and adequate notice of the Motion having been given under the circumstances; and after due deliberation and hearing thereon, and sufficient cause appearing therefore; it is hereby

ORDERED, that the Motion is hereby allowed; and it is further;

ORDERED, that this order shall remain in full force and effect until further order of this Court.

Dated: New York, New York  
October 3, 2006

United States District Court Judge

MICROFILM

OCT - 5 2006 - 12 00 PM